

## **PUBLIC NOTICE OF PROPOSED CHANGES TO THE CONSTRUCTION (1926) RULES OF WYOMING OSHA DIVISION**

**PUBLIC NOTICE IS HEREBY GIVEN** that the Wyoming OSHA Commission is proposing to update Chapter 29 – Cranes and Derricks in Construction (CC) – 1926.1427(k).

On 11/9/18, the Department of Labor published a Federal Register notice on the Final Rule on Crane Operator Certification Requirements, effective December 10, 2018, except the amendments to 29 CFR 1926.1427 (a) and (f) (evaluation and documentation requirements), which are effective February 7, 2019. The amendments to OSHA’s crane standard in this final rule require employers to permanently implement evaluations of crane operators, whereas the previous evaluation duty had been temporary with a fixed end date. These evaluations must be documented and include more specificity than the previous temporary employer duty to assess and train operators under 1926.1427(k) (2).

Accordingly, State Plans are required to adopt an as least effective change to their standard. Since Wyoming is a State Plan, we must adopt an at least as effective standard or amendment to their existing standards or show that we already have an existing standard within six months of the standard’s effective date, i.e. by 6/10/19.

The changes for this rule include: All crane operators must be trained, certified (or licensed) and evaluated effective 2/7/19. They must be certified every five (5) years by ANSI or NCCA. Exemptions include: operators of derricks, side boom cranes or equipment with a maximum manufacturer rated hoisting/lifting capacity of 2,000 pounds or less are not required to have certified operators. Training requirements still apply.

Federal OSHA is also removing the previous requirement for crane operators to be certified by crane capacity, as well as crane type.

Written comments should be submitted to the following address by **May 13, 2019**.

Wyoming Workers’ Compensation Division  
ATTN: Administrator  
1510 East Pershing Boulevard  
Cheyenne, WY 82002  
(307) 777-7672

Or via email to: [marcia.price@wyo.gov](mailto:marcia.price@wyo.gov)

A public comment period will end at close of business on **May 13, 2019**.

Copies may be obtained by submitting a written request to the Division, with pre-payment by personal check or money order for the total number of copies requested; the fee for each copy is \$4.00. The proposed rules may be downloaded, free of charge, from the Department of Workforce Services (DWS) at:

<http://www.wyomingworkforce.org/news/publicnotices/>